

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BONITA VARLEY,)
Plaintiff,)
vs) Civil Action No. 06-631
HIGHLANDS SCHOOL DISTRICT,)
Defendant.)

O R D E R

AND NOW, this 15th day of August, 2006, after the plaintiff filed a complaint in the above-captioned case, and after the defendant moved to dismiss the complaint, and after a Report and Recommendation was issued by the United States Magistrate Judge, and the parties were granted ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the defendant, as well as the plaintiff's response to those objections, and upon independent review of the pleadings, and the Magistrate Judge's Report and Recommendation,

IT IS ORDERED that the defendant's motion to dismiss the complaint (Document No. 5) is granted as to all allegations of discriminatory acts which are said to have occurred prior to June 18, 2004 and denied in all other respects.

IT IS FURTHER ORDERED that the plaintiff's request for punitive damages is dismissed. See, Doe v. County of Centre, PA, 242 F.3d 437, 457 (3d Cir. 2001) and Titus v. Moon Area School District, 2006 WL 752961, *1 (W.D.Pa., Mar. 17, 2006).

/s/ Joy Flowers Conti
United States District Judge

cc: All Counsel of Record

Honorable Robert C. Mitchell
United States Magistrate Judge